

IN THE UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF OREGON  
EUGENE DIVISION

**DANNY ROMERO,**

Plaintiff,

v.

**CARRIE COFEY, et al.,**

Defendants.

No. 6:15-cv-01905-TC

OPINION AND ORDER

**MOSMAN, J.,**

On November 18, 2016, Magistrate Judge Thomas M. Coffin issued his Findings and Recommendation (“F&R”) [28], recommending that Defendants’ Motion for Summary Judgment [15] should be GRANTED and Plaintiff’s Motion for Summary Judgment [14] should be DENIED. No objections to the F&R were filed.

**DISCUSSION**

The magistrate judge makes only recommendations to the court, to which any party may file written objections. The court is not bound by the recommendations of the magistrate judge, but retains responsibility for making the final determination. The court is generally required to make a *de novo* determination regarding those portions of the report or specified findings or recommendation as to which an objection is made. 28 U.S.C. § 636(b)(1)(C). However, the court

is not required to review, *de novo* or under any other standard, the factual or legal conclusions of the magistrate judge as to those portions of the F&R to which no objections are addressed. *See Thomas v. Arn*, 474 U.S. 140, 149 (1985); *United States v. Reyna-Tapia*, 328 F.3d 1114, 1121 (9th Cir. 2003). While the level of scrutiny under which I am required to review the F&R depends on whether or not objections have been filed, in either case, I am free to accept, reject, or modify any part of the F&R. 28 U.S.C. § 636(b)(1)(C).

Upon review, I agree with Judge Coffin's recommendation and ADOPT the F&R [28] as my own opinion.

IT IS SO ORDERED.

DATED this 9th day of February, 2017.

/s/ Michael W. Mosman  
MICHAEL W. MOSMAN  
Chief United States District Judge